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7

8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 EDGAR RAFAEL NAVARRO  
CHAVOYA,

15 Defendant.  
16

Case No. 1:21-cr-00314-JLT-SKO

**STIPULATION TO VACATE STATUS  
CONFERENCE AND SET MOTION  
BRIEFING SCHEDULE; ORDER**

Date: April 10, 2023

Time: 9:00 a.m.

Judge: Hon. Jennifer L. Thurston

17 IT IS HEREBY STIPULATED by and between the parties through their respective  
18 counsel, Assistant United States Attorney Alexandre Dempsey, counsel for plaintiff, and  
19 Assistant Federal Defender Erin Snider, counsel for Edgar Rafael Navarro Chavoya, that the  
20 Court may vacate the status conference currently scheduled for January 18, 2023, at 1:00 p.m.  
21 and set the following motion briefing schedule: motions due February 13, 2023; opposition due  
22 March 13, 2023; reply due March 27, 2023; motion hearing on April 10, 2023, at 9:00 a.m.

23 The parties agree and request the Court find the following:

- 24 1. By previous order, this matter was set for a status conference on January 18,  
25 2023.
- 26 2. The government has produced initial discovery, consisting of 575 Bates-marked  
27 pages.
- 28 3. Defense counsel intends to file a motion to dismiss and requires time to prepare

1 said motion.

2 4. Defense counsel believes that failure to grant the above-requested continuance  
3 would deny her the reasonable time necessary for effective preparation, taking into account the  
4 exercise of due diligence.

5 5. The government does not object to the motion briefing schedule and is available  
6 for a motion hearing on April 10, 2023, at 9:00 a.m.

7 6. Based on the above-stated findings, the ends of justice served by continuing the  
8 case as requested outweigh the interest of the public and the defendant in a trial within the  
9 original date prescribed by the Speedy Trial Act.

10 7. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
11 *et seq.*, within which trial must commence, the time period of January 18, 2023, to April 10,  
12 2023, inclusive, is deemed excludable pursuant to 18 U.S. C. § 3161(h)(1)(D) and 3161(h)(7)(A)  
13 and (B)(iv).

14 **IT IS SO STIPULATED.**

15  
16 Respectfully submitted,

17 PHILLIP A. TALBERT  
18 United States Attorney

19 Date: January 11, 2023

/s/ Alexandre Dempsey  
20 ALEXANDRE DEMPSEY  
21 Assistant United States Attorney  
22 Attorney for Plaintiff

23 HEATHER E. WILLIAMS  
24 Federal Defender

25 Date: January 11, 2023

/s/ Erin Snider  
26 ERIN SNIDER  
27 Assistant Federal Defender  
28 Attorney for Defendant  
EDGAR RAFAEL NAVARRO CHAVOYA

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**ORDER**

**IT IS SO ORDERED.** The status conference currently scheduled for January 18, 2023, at 1:00 p.m. is hereby vacated. The defense shall file any motions by February 13, 2023; the government shall file its opposition by March 13, 2023; and the defense may file a reply by March 27, 2023. A motion hearing is set for April 10, 2023, at 10:00 a.m. The time period of January 18, 2023, to April 10, 2023, inclusive, is excludable pursuant to 18 U.S.C § 3161(h)(1)(D) and 3161(h)(7)(A) and (B)(iv).

Date: 1/12/2023

*Sheila K. Oberto*

Hon. Sheila K. Oberto  
United States Magistrate Judge